

Docket No.: 50246-068

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of U.S. Patent 5,598,525 :
Issued January 28, 1997 :
To Robert M. Nally, et al. :
Based on Serial No.: 376,919 : Group Art Unit:
Filed: January 23, 1995 : Examiner:
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For: APPARATUS, SYSTEMS AND METHODS FOR CONTROLLING GRAPHICS AND
VIDEO DATA IN MULTIMEDIA DATA PROCESSING AND DISPLAY SYSTEMS

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this Reissue application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Each of the references cited on the accompanying PTO Form-1449 has been associated with an alpha character in the margin of the column provided for the Examiner's initials indicating the tab at which it may be located.

For purposes of easy reference to the initial decision of the ITC Administrative Law Judge, Exhibit C, D, E, F, G and H, on information and belief relate to the "Oak Brooktree" combination asserted by ATI Technologies, Inc. Exhibits K, L, M, N, O, P, Q, R, S and T, on

information and belief relate to the Parallax Graphics Viper device. Documents I, J and U, on information and belief, relate to the Intel i-750 device.

Submission of these documents does not constitute an admission that they are prior art.

On page 84 of the initial determination, the Administrative Law Judge (ALJ) of the ITC held "the Oak specifications and technical documents cannot qualify as prior art." However, on page 2 of the "NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW THE BULK OF AN INITIAL DETERMINATION FINDING NO VIOLATION OF SECTION 337 OF THE TARIFF ACT OF 1930", the International Trade Commission "determined to take no position" as to certain ALJ findings, including the "prior art" status of the Oak/Brooktree combination under 35 USC §102(a)".

On page 92 of the ALJ's initial determination, the ALJ rejected "ATI's anticipation and obviousness defenses based on the Parallax 1280/VIPER, as there is a lack of the requisite evidence for application to the claims that issue.

On page 89 of the ALJ's initial determination, the ALJ found that "the Intel I-750 does not anticipate or render obvious any of the asserted claims of the 525 patent."

The ALJ of the ITC determined on page 100 of the initial determination that the Blindlish '864 patent "invalidates claim 37 under Section 102(e)." However, the Commission did not sustain the ALJ's determination on "the prior art status of the Blindlish '864 patent under 35 USC §102(e)" and the consequent holding by the ALJ of "invalidity of claim 37 as anticipated by the Blindlish '864 prior art patent under 35 USC §102(e). See page 2 of the "NOTICE OF COMMISSION DETERMINATION", supra.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

Respectfully submitted,

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